

Los Angeles County Public Defender's Office

June 2002, Expanded Staff Meeting

The Expanded staff meeting of June 13, 2002. Mr. Judge was attending the Department Head Strategic Planning Meeting and the meeting was chaired by Chief Deputy Robert Kalunian. The following topics were discussed:

I. Announcements & Reminders: Mr. Kalunian welcomed new attendees, Haydeh Takasugi, the new president of the Women's Public Defenders Association, and Dennis Yamamoto the new president of the Asian Pacific Public Defenders Association.

Mr. Kalunian presented two certificates to Kathy Cantella (former President of the Women's Public Defenders Association) from the National Drug Court Institute, given to her in appreciation for her participation in the planning of the Adult Drug Court Planning Initiative in June, and also another from the National Drug Court Institute in appreciation for her outstanding contributions to the Comprehensive Drug Court Public Defenders Training, National Center for State Courts.

Debbie Page, president of the Black Public Defenders Association, passed out two flyers, one of which announced a reception to be held on Thursday, July 11 (following the next expanded staff meeting) honoring all of the managers who were promoted in our office effective, April 1, 2002, as well as Janice Fukai and David Carleton in the the Alternate Public Defender Office. Ms. Page requested Head Deputies take some extra flyers and post them in their office locations. The RSVP information is on the flyer.

Ms. Page also distributed the announcement of a meeting co-sponsored by the Black & Women's Public Defenders Associations on Saturday, July 20, 2002, at the Los Angeles Athletic Club. The topic of discussion will be Minority Youth in the Criminal Justice System. Speakers include Michael P. Judge, the Honorable Candace Cooper, Constance Rice, James Bell and the Honorable Carol Hallowitz. The meeting is open for all to attend.

Ms. Van Bogaert announced that the mileage rate is going up July 1st, from 31 cents a mile to 33 cents a mile. The new rate is for miles driven July 1st or after. If you are signing a mileage claim in July that's for June miles driven you want to make sure that 31cent rate is used. Anything driven after the July 1st date is 33 cents. There will also be an announcement in PDQ with our checks on June 30th.

Mr. Lara related that all I.D. pictures for everyone in the office have been completed with the exception of about twenty people. The Head Deputies should advise those persons to come Downtown and have their pictures taken. Mr. Lara announced he had ID's for Airport, CCW, Central Misdemeanors, Dept. 95, Norwalk, Pasadena, SanFernando, Lancaster, Slymar, Torrance and Van Nuys and requested branch managers stop by Mr. Lara's office after the meeting and pick up the I. D. cards.

II. Pitchess discovery/Closed Case Files - Kelly Emling: Ms. Emling distributed a memo from Michael Judge outlining the procedures for the storage and examination of Pitchess Discovery material in closed Public Defender case files. Those procedures insure that Pitchess Discovery material will be retained and retrieved consistent with controlling protective orders.

The purpose is to have the ability on the PDWeb and through the databases to check which cases have Pitchess material in them prior to reviewing closed case files. This will enable our lawyers to comply with controlling court orders and not inadvertently put themselves in compromising positions.

There will be a PDQ article on this subject. Also all Head Deputies were requested to take a copy of the one page form, make duplicates, and provide the referred to envelopes for use by our lawyers. We will be making the envelopes available for all of our lawyers.

III. Local Court Rules - Lon Sarnoff: Mr. Sarnoff distributed a memo delineating the requirements to enact a Local Court Rule. This is an outgrowth of a situation in Compton where a judge had purportedly set up a rule by way of memo, in which all motions had to be filed and completed thirty days before the case is set for trial. It was being referred to as a local court rule. In fact, it is not a local court rule; in order for an edict to become a legitimate local court rule, it must be submitted to the Judicial Council and there are a number of technical requirements that must be met to effectuate a Local Court Rule. Also Local Court Rules cannot be in conflict with Statewide Court Rules, statutes or other laws.

In other words some site Judge cannot decide what the laws will be in his or her district. There is an exception to that which involves calendaring matters, but calendaring refers to what hour during the day or what day of the week different types of motions will be heard. In other words, it would be appropriate for a judge to say that all 1538.5's, for example, will be heard on a Friday. It would probably be okay to state that all Pitchess motions will be set in the afternoon. That's a calendaring issue and has no substantive effect upon handling the case, but the so called rule in Compton obviously went way too far.

IV. Compensatory time Off While You Are On Medical Leave - Marilyn Turner: Ms. Turner reminded managers that when an employee is on medical leave or sick leave that constitutes a decision by a physician that because of a medical condition he/she is unable to work. Consequently work activities, or anything connected with work such as training, or seminars cannot be permitted by the employer. An employee cannot come to work or attend training and claim comp time or get paid when that employee is off sick. So be reminded that if an employee has a medical statement that they are off for medical leave due to illness, they can't work or attend training seminars. If you have questions, please call Marilyn, and she will be happy to walk you through it.

V. Retirement Enhancements - Robert Kalunian: Mr. Kalunian announced that the retirement enhancements that were under consideration have been adopted. There are eleven different enhancements to the retirement plans. Eight of the enhancement apply to our Plan E members, some very significant, for example, the Plan now has up to a two percent COLA per year. The survivorship continuance percentage in all plans increased five percent, Plans A through D

increased from 60 to 65 percent, and Plan E increased from 50 to 55 percent. There were a number of other enhancement, most of them relating to Plan E. There's a detailed description on the LACERA WEBSITE which is at LACERA.COM comparing the current benefit and the enhanced benefit.

The next schedule meeting will be July 11, 2002 at CSFCJC.